

**REMARKS**

In the above-identified office action, the Examiner has rejected claims 1-3 as unpatentable over prior art admitted by applicant in view of Azima et al. The examiner has concluded that it would have been obvious to adjust the acoustic resistance of the formable material of the admitted prior art as taught by Azima for better adjusting and compressing the acoustic resistor. The examiner has also stated that Azima teaches the deformable materials that are crushed by being heated for compressing or having a variation of thickness. Applicant disputes this last noting that the language cited by the examiner only teaches variation of thicknesses which can be imposed by the use of sandwich structures or selective compression or crushing. No where in the art of record is there shown heating the air bubbles of the thermoplastic porous material to obtain a desired acoustic resistance. In fact, Azima does not teach the use of heat in any manner as would change the properties of the foam used therein. Azima does teach the use of heat for achieving desired contour but does not suggest that such might be utilized to achieve a desired acoustic resistance.

Applicant notes that it is not necessarily the compression and crushing of the thermoplastic porous material which achieves the resulting desired acoustic resistance. Applicant believes that what is happening that by heating the thermoplastic porous material a portion of this material becomes an agglomerate of the plastics through partial heating and after being so heated, these agglomerate particles attach themselves to the remaining thermal plastic porous material, thereby resisting the sound waves passing there through. Thus there is no "melting" of the thermal plastic material but rather a change in the properties. This is significantly different from that taught by Azima.

Applicant hereby request reconsideration and reexamination thereof.

With the above amendments and remarks, this application is consideration ready for allowance and Applicant earnestly solicits an early notice of same. Should the Examiner be

of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to call the undersigned at the below listed number.

Respectfully submitted,  
**WELSH & KATZ, LTD.**

By: 

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